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JEFFRIES *v.* COMMONWEALTH.

June 13, 1912.

[75 S. E. 90.]

**1. Intoxicating Liquors (§ 132\*)—Sales on Sunday—Statutes—Repeal.**—Code 1904, § 3804, punishing the selling of liquor between 12 o'clock on Saturday night and sunrise of the succeeding Monday morning, is repealed by Act March 12, 1908 (Laws 1908, c. 189), punishing any person selling liquor on Sunday, and repealing inconsistent acts.

[Ed. Note.—For other cases, see *Intoxicating Liquors*, Cent. Dig. § 141; Dec. Dig. § 132.\* 8 Va.-W. Va. Enc. Dig. 20.]

**2. Intoxicating Liquors (§ 208\*)—Illegal Sales on "Sunday"—Indictment—Requisites.**—An indictment alleging that accused sold liquor between midnight of Saturday and sunrise of the succeeding Monday morning does not charge a sale on Sunday, in violation of Act March 12, 1908 (Laws 1908, c. 189), punishing the sale of liquor on Sunday, because a sale made after 12 o'clock Sunday night and before sunrise Monday morning is not a criminal offense, though included in the indictment; "Sunday" being from 12 o'clock Saturday night until 12 o'clock Sunday night.

[Ed. Note.—For other cases, see *Intoxicating Liquors*, Cent. Dig. §§ 228, 261; Dec. Dig. § 208.\*

For other definitions, see *Words and Phrases*, vol. 7, pp. 6788, 6789; 8 Va.-W. Va. Enc. Dig. 20; 12 Va.-W. Va. Enc. Dig. 1036.]

Error to Corporation Court of Roanoke.

One Jeffries was convicted of crime, and he brings error. Reversed, and prosecution dismissed.

*Hairston & Willis, A. B. Hunt, and Hoge & Williams*, for plaintiff in error.

*Samuel W. Williams, Atty. Gen.*, for the Commonwealth.

AMERICAN LOCOMOTIVE CO. et al. *v.* CHALKLEY.

June 13, 1912.

[75 S. E. 90.]

**1. Master and Servant— (§ 125\*)—Injuries to Employees—Defective Machinery—Want of Care.**—Where employers, upon being notified of a defect in a machine upon which an employee was working when

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\*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.